EMN:AAS
F.#2010R00031

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - - - - - - - - - - - X

UNITED STATES OF AMERICA

- against -

[redacted]

Defendant.

- - - - - - - - - - - - - - - X

SUPERSEDING INFORMATION

Cr. No. 13-28 (S-1)(ENV)
(T. 18, U.S.C., §§ 924(d), 924(o), 981(a)(1)(C), 981(a)(1)(G), 982, 1957(a), 1957(b), 1957(d)(1), 2339B(a)(1), 2339B(d), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE
(Conspiracy to Provide Material Support to a Foreign Terrorist Organization)

1. In or about and between January 2002 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant [redacted] together with others, did knowingly and intentionally conspire to provide material support and resources, as defined in 18 U.S.C. § 2339A(b), including expert advice and assistance, weapons, explosives and personnel, including himself, to a foreign terrorist organization, to wit: [redacted]

(Title 18, United States Code, Sections 2339B(a)(1), 2339B(d) and 3551 et seq.)

COUNT TWO
(Conspiracy to Use Machineguns and Destructive Devices)

2. In or about and between January 2002 and January 2014, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant [redacted] together with others, did knowingly and intentionally conspire to use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count One, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was a machinegun and one or more of which firearms was a destructive device, contrary to Title 18, United States Code, Section 924(c).

(Title 18, United States Code, Sections 924(o) and 3551 et seq.)

COUNT THREE
(Money Laundering)

3. In or about and between September 2006 and June 2010, both dates being approximate and inclusive, within [redacted] the defendant [redacted] together with others, did knowingly and intentionally engage in monetary transactions, in and affecting interstate and foreign commerce, in criminally derived property that was of a value greater than $10,000 and that was derived from specified unlawful activity, to wit: providing material support to a foreign terrorist organization, in violation of Title 18, United States Code, Section 2339B(a)(1).

(Title 18, United States Code, Sections 1957(a), 1957(b), 1957(d)(1), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT ONE

4. The United States hereby gives notice to the defendant [redacted] [redacted] hat, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and 981(a)(1)(G), and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit: (i) any property constituting or derived from proceeds traceable to such offense; (ii) all assets, foreign or domestic, of any individual, entity or organization engaged in planning or perpetuating any federal crime of terrorism against the United States, citizens or residents of the United States or their property, and all assets, foreign or domestic, affording any person a source of influence over any such organization; (iii) all assets, foreign or domestic, acquired or maintained by any person with the intent and for the purpose of supporting, planning, conducting or concealing any federal crime of terrorism against the United States, citizens or residents of the United States or their property; (iv) all assets, foreign or domestic, derived from, involved in, or used or intended to be used to commit any federal crime of terrorism against the United States, citizens or residents of the United States or their property; and (v) all assets, foreign or domestic, of any individual, entity or organization engaged in planning or perpetrating any act of international terrorism against any international organization or against any foreign government.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 981(a)(1)(C) and 981(a)(1)(G); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT TWO

6. The United States hereby gives notice to the defendant [redacted] that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 924, or any violation of any criminal law of the United States.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 924(d); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT THREE

8. The United States hereby gives notice to the defendant [redacted] that, upon his conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982, of all property, real and personal, involved in the offense, and any property traceable thereto.

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982)

LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: ______________________
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136